



# House of Representatives

General Assembly

**File No. 57**

February Session, 2004

Substitute House Bill No. 5240

*House of Representatives, March 15, 2004*

The Committee on Environment reported through REP. WIDLITZ of the 98th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING FARM WASTE MANAGEMENT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-6c of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 The Commissioner of Agriculture may reimburse any farmer for  
4 part of the cost of compliance with a comprehensive farm nutrient  
5 management plan or a farm resources management plan, provided  
6 such plan has been [certified by the federal Farm Service Agency, or  
7 the Department of Environmental Protection and the cost is in  
8 accordance with said certification] approved by the Commissioner of  
9 Environmental Protection. The Commissioner of Agriculture, in  
10 cooperation with the United States Department of Agriculture, may  
11 certify for payment comprehensive farm nutrient management or farm  
12 resources management plan practices that have been approved by the  
13 Commissioner of Environmental Protection pursuant to this section.  
14 The total federal and state grant available to a farmer shall not be more

15 than [seventy-five] ninety per cent of such cost. In making grants  
16 under this section, the commissioner shall give priority to capital  
17 improvements made in accordance with a comprehensive farm  
18 nutrient management plan or a farm resources plan prepared pursuant  
19 to section 22a-354m, as amended.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

**Statement of Legislative Commissioners:**

The section was rewritten for clarity.

**ENV**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Department of Agriculture	GF - Cost	See Below	See Below
Treasurer, Debt Serv.	GF - Cost	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill allows comprehensive farm nutrient management plans as well as farm resources management plans to be eligible for grants under the Farm Waste Management Program, and increases the maximum state reimbursement from 75% to 90%. To the extent that this expands the program and increases funding requirements for it, there could be a need for additional bond authorizations and an increase in debt service costs to the General Fund. The program has a current unallocated GO bond balance of \$500,000 and current grants range from \$35,000 to \$40,000. The department has been funding 14 to 16 projects per year.

**OLR Bill Analysis**

sHB 5240

***AN ACT CONCERNING FARM WASTE MANAGEMENT*****SUMMARY:**

By law, the agriculture commissioner may reimburse farmers for up to 75% of the cost of complying with a farm resources management plan that the U.S. Department of Agriculture's (USDA) Farm Service Agency or the state Department of Environmental Protection (DEP) certifies. The bill:

1. increases the maximum reimbursement amount to 90% of compliance cost;
2. allows farmers to seek reimbursement, under the same formula, for the costs of complying with a DEP-approved comprehensive farm nutrient management plan (CNMP); and
3. makes the DEP commissioner the only official who can approve farm resource management plans.

The bill retains the current requirement that priority be given to reimburse for capital improvements and makes it equally applicable to CNMPs. It also makes the agriculture commissioner, in cooperation with the USDA, the certifying authority (replacing DEP or the USDA Farm Services Agency under current law) for payment for both types of programs.

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Farm Resources Management Plan***

By law, a farmer must have a farm resources management plan certified by DEP or the USDA's Farm Services Agency to qualify for compliance reimbursement. The plan must include best practices for managing farm waste to protect natural resources. Farmers follow

USDA guidelines, as state regulations have not been adopted.

***Comprehensive Farm Nutrient Management Plan***

The USDA Natural Resources Conservation Service's National Planning Procedures Handbook provides guidelines for farmers to develop a CNMP. A CNMP identifies the management and conservation actions that a farmer must follow to meet specific soil and water conservation goals, including nutrient management, on an animal feeding operation (AFO). Defining these goals and identifying ways to meet them assist farmers to reduce any threats to water quality and public health from AFOs.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 25      Nay 0